

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID OTTINGER	:	CIVIL ACTION
	:	
v.	:	
	:	
CHESTER TOWNSHIP et al.	:	NO. 14-4432

ORDER

AND NOW, this 10th day of September, 2014, upon consideration of the Motion to Dismiss for Failure to State a Claim filed by defendants Chester Township, Kenneth Coalson, and Stanley Kester (Doc. 3), and in light of Plaintiff David Ottinger's subsequently-filed Amended Complaint (Doc. 8),¹ it is hereby **ORDERED** that the Motion to Dismiss filed by Chester Township, Kenneth Coalson, and Stanley Kester (Doc. 3) is **DISMISSED AS MOOT**, in that the motion challenges Plaintiff's original Complaint which appears to no longer be the operative pleading in this action.

BY THE COURT:

/s/ L. Felipe Restrepo
L. FELIPE RESTREPO
UNITED STATES DISTRICT JUDGE

¹ Pursuant to Fed. R. Civ. P. 15(a)(1), "[a] party may amend its pleading once as a matter of course . . . if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier."